

Catawba County Board of Commissioners  
Regular Session, February 2, 2009, 9:30 a.m.

**Appointments**

Catawba County Board of Adjustment	289	02/02/09
Dangerous Dog Appellate Board	289	02/02/09
Children's Agenda Planning Committee	289	02/02/09
Carolina Thread Trail Planning Steering Committee	292	02/02/09

**Awards**

Certificate of Commendation – Social Services	289	02/02/09
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**Catawba County Schools**

Return of 31 acres to County – not utilized for school site	295	02/02/09
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**Closed Session**

Personnel/Acquisition of Real Property	296	02/02/09
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**County Code**

Exception to Personnel Code – Christmas Holidays 2009 & 2010	289	02/02/09
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**Planning**

Carolina Thread Trail	291	02/02/09
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**Presentations**

Friends of the Sherrills Ford Library	289	02/02/09
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**Resolutions**

Advertising Unpaid Tax Liens	291	02/02/09
In Support of Carolina Thread Trail	292	02/02/09
In Support of Appointment of John Watts to State Board	295	02/02/09

**Tax**

Resolution to advertise unpaid tax liens	291	02/02/09
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**Utilities and Engineering**

Budget revision – cell tower permit fees	289	02/02/09
Southeastern Catawba County Wastewater project pump station – Execution of right of way agreements	290	02/02/09
Solid Waste Disposal Tax reimbursements	290	02/02/09
Design of the Blackburn-Plateau Water Supply Loop Project	293	02/02/09
Sherrills Ford Convenience Center Closure	296	02/02/09

The Catawba County Board of Commissioners met in regular session on February 2, 2009 at 9:30 a.m. in the 1924 Courthouse, Robert E. Hibbitts Meeting Room, 30 North College Avenue, Newton, North Carolina.

Present were Chair Katherine W. Barnes, Vice-Chair Lynn Lail and Commissioners Dan Hunsucker, Glenn Barger and Barbara G. Beatty.

Also present were County Manager J. Thomas Lundy, Assistant County Manager Lee Worsley, Assistant County Manager Dewey Harris, County Attorney Debra Bechtel, Deputy County Attorney Anne Marie Pease and County Clerk Barbara Morris.

1. Chair Katherine W. Barnes called the meeting to order at 9:30 a.m.

2. Commissioner Barbara Beatty led the Pledge of Allegiance to the Flag.
3. Commissioner Dan Hunsucker offered the invocation.
4. Commissioner Dan Hunsucker made a motion to approve the minutes of the Special Meeting of January 12, 2009 and the Regular Meeting of January 20, 2009. The motion carried unanimously.
5. Recognition of Special Guests: Chair Barnes welcomed everyone and said the Board was pleased to see the people from the southern part of the County in attendance.
6. Public Comments: None.
7. Presentations:
  - a. Commissioner Glenn Barger presented Amy Herman, Social Work Program Manager with a Certificate of Commendation to Catawba County Social Services for accepting the North Carolina Division of Social Services' Challenge for Children to reduce the backlog of children in foster care. After accepting this challenge, Social Services made the foster care backlog a top priority and reduced the backlog by 21% in 2007, compared to an average of 9% for counties across the state.
  - b. Pat Hollands from the Friends of the Sherrills Ford Library presented a powerpoint presentation from the Friends of the Sherrills Ford Library which outlined the group's vision for a new library and community/cultural center in Southeast Catawba County. A formal committee to develop a proposed plan was formed in 2007 and that committee had polled the community, had focus groups, met with County staff, and Crescent Resources to clarify the needs and desires that would be met by a community/cultural center in the southeast portion of the County. At the current time there is no cultural facility and there is limited space in the existing library. The group believes the proposed new center would benefit the citizens of this part of the county and could be revenue generating. It would provide space for CVCC, YMCA, Boy Scouts, Catawba Valley Medical Center and other civic groups. The group is continuing to research sources for additional funding and is investigating possible joint ventures and leases for the property. The Board complimented them on their efforts and thanked them for the presentation.
8. Appointments.

Commissioner Barbara Beatty recommended the appointment of Mr. John Pope for a first term in the alternate category on the Catawba County Board of Adjustment. Mr. Pope's term will expire November 30, 2011. Commissioner Dan Hunsucker recommended the appointment of Reverend Patrick Purdy and Veterinarian Kimberly Mitchell-Ardrey, both of Maiden, for first terms as alternates on the Dangerous Dog Appellate Board. These terms will expire February 2, 2011. Chair Barnes, upon staff's recommendation, recommended the appointment of following individuals to a new Children's Agenda Planning Committee: Lee Worsley (Co. Mgr. Office); Lamar Mitchell (Chamber/Champions of Education); Christina McNally (Catawba County Health Partners); Tara Conrad (Mental Health Partners); Paul Holden (Juvenile Crime Prevention Council); Kim Lyke Salyards (Catawba County Partnership for Children); Jennifer McCracken (Catawba County Public Health); Jennie Connor (United Way); Jo Sloan (Catawba County Social Services); Dawn Wilson (Catawba County Social Services); John Orgain (Alex-Lee, Inc.); Tim Markley (Catawba County Schools); David Stegall (Newton-Conover Schools); Jerry L. McCombs (Catawba County NAACP); Ann Stalnaker (Hickory City Schools); Houa Lee (Hmong Association) and Marie Connelly (Centro Latino).

These recommendations came in the form of a motion and the motion carried unanimously.

9. Consent Agenda:

County Manager J. Thomas Lundy presented the following five items on the consent agenda:

  - a. A request for the Board to approve an exception to Section 28-205 of the County Personnel Code as it regards the paid holidays for Christmas 2009 and 2010, in an effort to better serve citizens. Staff recommended that, for 2009, December 23, 24 and 25 (Wednesday, Thursday and Friday) be observed as paid holidays by County offices and, for 2010, December 22, 23 and 24 (also Wednesday, Thursday and Friday) be observed as paid holidays by County offices. The Personnel Code officially states that when Christmas falls on a Friday, County offices shall observe

December 24, 25 and 28 (Thursday, Friday and Monday) as holidays. In 2009, Christmas falls on a Friday. The Code also states that when Christmas falls on a Saturday, County offices shall observe December 23, 24 and 27 (Thursday, Friday and Monday) as holidays. In 2010, Christmas falls on a Saturday. By adjusting the 2009 and 2010 Christmas holiday schedule, county staff will be positioned to better serve the needs of the public by opening County offices on the Monday following Christmas. This will eliminate two consecutive shortened work weeks at a time when the County's Tax Office has increased demand and many County citizens have returned to work after the holidays and have expectations of the County offices being open for business.

b. A request for the Board to approve amending the County's 2008-09 budget to appropriate an additional \$90,000 for consultant fees to process an anticipated increase of up to seven new and co-location cell tower permit applications between now and the end of the fiscal year. Catawba County has been collecting funds for cell tower co-locations since 2003. The County's Finance Department originally created an escrow account to deposit the funds, pay the consultant and return excess funds to the applicant. As of December 1, 2007, the North Carolina General Assembly passed legislation prohibiting the use of an escrow account for cell tower construction or co-locations. The County then established a revenue account to collect a consolidated sum to cover the County's application fee and consultant costs associated with the review process. Since this was the first fiscal year for the use of this process, staff was uncertain as to how much to budget. In the current fiscal year, \$30,000 was budgeted in revenue; however, no expenses were appropriated. Staff underestimated the number of permits that potentially could be processed. During 2008, a substantial increase in cell tower activity occurred, resulting in fourteen applications. Based on fiscal year to date applications, it is anticipated that staff will process approximately seven more applications before June 30. In order to process seven additional applications and cover the shortfall in expenses, it is projected that up to \$90,000 may be needed, expected to be available as follows: 1) \$30,000 from revenues projected from new cell tower permit applications anticipated by June 30, 2009; 2) \$46,500 from revenues projected from additional co-location permit applications anticipated by June 30, 2009; and 3) \$13,500 from revenue already collected for a new cell tower. These funds will be reserved exclusively for new and co-location cell tower related expenses, and will not be spent if the anticipated applications are not received. The following appropriations apply:

Expenditure

110-420030-857260 \$90,000

Co-Location Cell Tower Services

Revenue

110-190050-690100 \$30,000

Fund Balance

110-420030-662350 \$13,500

New Cell Tower Permit

110-420030-662360 \$46,500

Co-Location Tower Permit

c. A request for the Board to authorize its Chairperson to execute right of way agreements to serve three Southeastern Catawba County Wastewater project pump stations. On June 16, 2008, the Board awarded a bid to construct the northern section of the Southeastern Catawba County Wastewater project, requiring three sewer pump stations. The Terrapin Creek Pump Station property on Mollys Backbone Road was acquired from Crescent Resources and has been transferred to the County. The Balls Creek Pump Station property on Brown Chapel Road was acquired through condemnation. The Sherrills Ford Pump Station property at Sherrills Ford Elementary School is in the process of being transferred from the Board of Education to the County. Duke Energy will prepare right of way agreements after the transfers of the properties have been executed.

d. A request for the Board to approve a budget revision to account for revenue from Solid Waste Disposal Tax reimbursements in the amount of \$34,285. During the 2007 session, the General Assembly passed Senate Bill 1492 which created a statewide solid waste disposal tax and increased permitting requirements and costs. Senate Bill 1492 mandates that each Solid Waste Management program transfer \$2 per ton to the State for each ton of municipal solid waste and construction and demolition debris that is buried. The Blackburn Landfill is expected to receive approximately 204,000 tons in fiscal year 2009, which equates to \$408,000. Catawba County vigorously opposed Senate Bill 1492 and the solid waste disposal tax in particular. County staff was

very active in professional groups created by the Senate Subcommittee on Environment, and by the North Carolina Association of County Commissioners, in an effort to require the State to produce realistic, scientifically proven reasons for the increase in regulatory requirements for landfills in North Carolina, and provide sound financial analysis behind the disposal tax and implementation of new and increased construction and operating permit fees. While Senate Bill 1492 does provide for some money to return to the County, the money to be returned is determined on a per capita basis instead of on the amount of waste managed and is not expected to offset the new fees the County will be required to pay. Catawba County has paid the State \$167,750 on 83,875 tons since July 1, 2008. The County collects the disposal tax and then files a return with the North Carolina Department of Revenue quarterly, based on tonnage reports from landfill tracking systems. Counties and municipalities will receive a per capita distribution of tax proceeds quarterly. Reimbursements due to municipalities will be paid directly to the municipality. The State set a reimbursement estimate for fiscal year 2008/09 at \$0.42 per capita. Catawba County, based on a population of 81,631 in the unincorporated area, should receive \$34,285 in revenue, to be split into two payments in February and May. The State has estimated the rate of per capita distribution for fiscal year 2009/10 to be \$0.99; however, the rate is tied to statewide disposal tax yield and available funds for distribution. If the rate remains at \$0.99 per capita, reimbursements for FY 2009/10 will be approximately \$80,815. The following appropriations apply:

Revenue

525-350200-611525 ..... \$34,285

Solid Waste Disposal Tax

Expenditures

525-350050-993503 ..... \$34,285

Solid Waste Fund

e. The Board received a report on delinquent 2008 real estate property taxes in accordance with North Carolina General Statutes 105-369(a) and adopted a resolution directing the Catawba County Tax Collector to advertise the delinquent tax liens as prescribed in the Statute. As of January 19, 2009, delinquent real property taxes in Catawba County totaled \$5,477,280, which represents 7.03% of the 2008 real property levy. The resolution read as follows:

**RESOLUTION No. 2009-**

**BE IT RESOLVED**, the Board of Commissioners for Catawba County, in compliance with NCGS 105-369(a), orders the Tax Collector to advertise all unpaid tax liens, as prescribed in NCGS 105-369.

This the \_\_\_\_\_ day of February, 2009

Chair Barnes asked if any Commissioner wished for an item or items to be removed from the consent agenda and considered individually. None were requested. Vice-Chair Lail made a motion to approve the consent agenda. The motion carried unanimously.

10. Departmental Reports:

A. Parks, Planning and Development.

Mary George, Assistant Planning Director, came forward and presented a request for the Board to adopt a resolution of support of a proposed Carolina Thread Trail project and make appointments to a County Thread Trail Planning Steering Committee. The Board was also requested to authorize the addition of up to four more members to the Steering Committee at the Planning Department's discretion. Prior to Mary presenting the background on this request, the Board viewed a movie promoting the Thread Trail. The Board recently adopted a Parks Master Plan and has explored opportunities for achieving elements of the plan, such as trail development. One such opportunity is the Carolina Thread Trail program. In 2005, the Trust for Public Land, Catawba Lands Conservancy and the Foundation for the Carolinas established a vision for preserving and connecting open lands in the Charlotte region. This vision developed into the creation of the Carolina Thread Trail (CTT), an initiative to create a network of greenways, trails and blueways (connected waterways) in a fifteen county region that will connect 2.3 million people in North and South Carolina. The fifteen counties include: Anson, Cabarrus, Catawba, Cherokee, Chester, Cleveland, Gaston, Iredell, Lancaster, Lincoln, Mecklenburg, Rowan, Stanley, Union and York. Guiding principles of the CTT include connectivity, collaboration, accessibility and inclusiveness to all citizens, as well as respect for the land and landowners.

The CTT was established as a non-profit organization and is being financed from private donations and State and Federal funding sources. To date, the CTT has raised \$15 million in private funds and has been approved for \$3 million in public funds from the Clean Water Management Trust, the first of a five-year funding commitment. The CTT provides funding to local governments through a grant process to begin development of a Thread Trail segment within each jurisdiction. Funding is available to support a four-step process of thread trail development: planning, design, acquisition and construction. A local match of 10% is required for the planning process which would be shared by the participating jurisdictions.

Catawba County planning staff has been actively involved in the CTT process. In September, a meeting was convened with city planners and recreation directors across the county to inform them of the CTT and the opportunity to participate in first stage planning for the CTT segment in Catawba County. The goal of the planning process is to have the County and cities work together to develop a plan that identifies trail corridors, designates the backbone of the network as the Carolina Thread Trail and outlines an action plan for implementing prioritized segments of the trail. This 10-12 month planning process will engage public leaders and involve public input. When a master plan is developed, it will be presented to the governing boards for adoption. Once the plan is adopted, local governments will be able to apply for additional implementation grants for prioritized segments of the trail.

The County's CTT thread segment would not replace existing trail plans, but would compliment them and provide regional connectivity through segments established in the cities' and County's plans. For example, the County's recently adopted Comprehensive Parks Master Plan identifies Lyle Creek as a regional greenway trail. The CTT planning process will evaluate this greenway project as a potential major CTT component which will allow other spur trails identified in the cities' plans to provide connection points. Each jurisdiction was asked to present a resolution of support to their governing body and provide a recommendation for a steering committee member who would represent the city's interest in the planning process. The County has received resolutions of support from each local government in the County, with exception of the Town of Brookford. The County will serve as the lead agency and grantee for the CTT planning process. The total cost to acquire the services of a trail planning consultant will be approximately \$60,000 (as determined by CTT). The local governments would then be responsible for the 10% local match or \$6000. This expense will be divided between the cities and the County based on the population formula used by the Western Piedmont Council of Governments for regional transportation and water studies. The County's share would be approximately \$3,000.

In addition to the cities' recommendations for Steering Committee representatives, staff has developed a list of interested individuals who represent a broad range of interests in planning the County's thread trail segments. The committee members also will serve as "ambassadors" for the CTT by reaching out to the public to garner support for the trail network. The Steering Committee members appointed by the Board are: Mary George (Catawba County Planning); Jonathan Kanipe (Town of Catawba rep); Henry Helton (Claremont rep); Q. Lance Hight (Conover rep); Mack McLeod (Hickory rep); Charles Mullis (Long View rep); Sam Schultz (Maiden rep); Alex Fulbright (Newton rep); Phil Piaski (Catawba Valley Heritage Alliance); Gary Hogue (Catawba County Parks Advisory); Tom Hopkins (Catawba Valley Outing Club); Sam Erwin (WPCOG); Tom Kenney (Foothills Conservancy of NC); Gary Laws (Duke Energy); Tracey Paul (Catawba County Public Health); Howard Reinhardt (Farm Bureau); Bebe Leitch (Hickory Metro Convention & Tourism); Erin Seiling (Lenoir-Rhyne Reese Institute); Scott Millar (Economic Development Corporation); Steve Rowe (Biking Club); Dan McClure (Carolina Land & Lakes); Tim Johnson (NCDENR Regional Trails); Melina Herzog (Catawba County Historical Association); John Marshall (Greater Hickory MPO/RPO); Fred Miller (Cooperative Extension); Andy Farr (Outdoor Supply business); Juliet Horan (Chamber of Commerce rep); Larry Williams (Catawba County Soil and Water), Cliff Isaac (Engineer); Dr. Jim Ross (citizen hiking advocate); Bob Larson (citizen hiking advocate); Chilo Forsyth (Catawba County Youth Council – Boy Scouts); Nicky Lo (Catawba Co. Youth Council – Maiden High School) and Elly Houser (Catawba Co. Youth Council – Bandys High School).

Staff responded to the Board's questions regarding liability and security issues indicating that the handling of these issues would mirror that of the County's parks.

Commissioner Beatty made a motion to adopt the following resolution and to appoint the Steering Committee members listed above. The motion carried unanimously.

**RESOLUTION #2009-\_\_\_\_\_**

**RESOLUTION OF SUPPORT FOR THE CAROLINA THREAD TRAIL  
AND CATAWBA COUNTY'S PARTICIPATION IN THE THREAD TRAIL DEVELOPMENT  
PROCESS**

WHEREAS, Catawba County is committed to maintaining and enhancing quality of life for its citizens and recognizes that the Carolina Thread Trail will contribute to quality of life by weaving together communities via a regional network of trails and greenways eventually connecting fifteen counties and millions of citizens; and

WHEREAS, many communities in our region have taken a lead in planning and/or building local trails and greenways, and those efforts can be greatly enhanced by being connected to a larger regional network of trails; and

WHEREAS, trails and their green buffer areas will help improve the quality of the air we breathe by preserving trees and vegetation and by promoting non-motorized transportation, and will enhance the quality of our water through natural buffers and mitigation of storm water run-off; and

WHEREAS, trails and greenways provide key amenities to neighborhoods and safe areas for our citizens and children to travel, exercise, play and connect with nature away from heavily trafficked areas; and

WHEREAS, trails have significant impact on the economic viability of the region through increased levels of tourism, enhanced property values, added jobs related to the construction of and along the trail, as well as enhanced ability to attract and retain businesses to the region due to improved quality of life; and

WHEREAS, trails and greenways are freely accessible community assets offering opportunities for recreation and exercise to everyone, including children, youth and families, and provide safe places for people to experience a sense of community and create stronger social and family ties; and

WHEREAS, there is no second chance to protect the Carolinas' great resources in this unique way for our children, grandchildren and great grandchildren, and the cost of these invaluable resources will only increase in the future; and

WHEREAS, private funding is available to communities from the Carolina Thread Trail for planning and construction of regional trails, and this private funding will leverage public funding from federal, state and various sources.

NOW, THEREFORE BE IT RESOLVED that Catawba County supports the Carolina Thread Trail and is committed in concept to working with neighboring communities and with the Carolina Thread Trail to plan, design and build a system of trails that will connect our communities, people and special regional points of interest for years to come.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2009

**B. Utilities and Engineering.**

Barry Edwards, Director of Utilities and Engineering, presented a request for the Board to award a contract in the amount of \$180,600 to McGill Associates, PA, for the design of the Blackburn-Plateau Water Supply Loop Project by use of North Carolina General Statutes 143-64.32, which

allows the County to contract engineering design services without using the formal Request For Qualifications (RFQ) process provided the County states, "the reasons therefore and the circumstances attendant thereto". Staff selected McGill Associates because of its accomplished past experience and direct work on this project's Preliminary Engineering Report. The project maximum design fee of \$180,600 is 4.96% of the estimated construction cost of \$3,642,580 which is within the 5.81% that is recommended by the USDA Rural Development Guidelines.

Staff is accelerating the design of this project to be fully prepared for an expected Federal stimulus package. Based on staff's assessment of the expected stimulus package requirements, the Blackburn-Plateau Water Supply Loop Project represents the ideal infrastructure project due to its blend of economic development, job creation, environmental improvements, and drinking water provisions and fire protection. The Catawba County Economic Development Corporation (EDC), the Western Piedmont Council of Governments (WPCOG), and County staff are working with Catawba Valley Mills Manufacturing Facility (Ashfar Enterprises, Inc.) to obtain a Community Development Block Grant to fund needed water services in order to increase manufacturing output and jobs. Funding and/or any grant matching money for this project is available in the County's Water and Sewer Enterprise Fund.

The Blackburn-Plateau Water Supply Loop Project is part of the County's overall water supply plan. It is separated into two phases, a Blackburn Bridge Road Project and a Wilfong Road Project, scheduled for 2012 and 2013, respectively. The County's Utility Prioritization Tool advanced these projects in the County Capital Improvements Plan after reevaluating them as an integrated project that includes an extension to serve the new Propst Fire Department station and new requests for waterline extensions received by the Propst Fire Department and Catawba County EDC. Neither include an extension along Plateau Road south of Grace Church Road to serve the newly constructed Propst Fire Department station, as had been previously analyzed.

The Blackburn-Plateau Water Supply Loop Project will provide municipal water to the proposed Propst Crossroads Fire Station; enhanced fire protection in the Propst Fire District; municipal water along the western and southern boundaries of the Blackburn Landfill; municipal water and fire protection to a proposed economic development project; the expansion of the Catawba Valley Mills Manufacturing Facility (Ashfar Enterprises, Inc.); and municipal water and fire protection to a proposed economic development project at the intersection of Startown Road and US Highway 321. The project will also provide a necessary supply loop system to future businesses, and a secondary water supply loop to the Town of Maiden and the Southeast Catawba County Water Supply system, in the event of a problem with the City of Hickory water supply main on Startown Road.

The project will be divided into seven segments to allow the County to bid, construct and/or obtain infrastructure grants in parts. Segment 1 will extend from the end of the existing waterline on Plateau Road to the intersection of Grace Church Road. Subsequent segments will extend from Grace Church Road along Plateau Road to the proposed Propst Crossroads Fire Station; along Grace Church Road to Hickory-Lincolnton Highway; along Hickory-Lincolnton Highway to Blackburn Bridge Road; along Blackburn Bridge Road to Startown Road; then followed by a 12-inch line extending along Startown Road and finally a 16-inch line along Startown Road from south of Elbow Road, then west on Elbow Road, north under Highway 321 to West Maiden Road, and then east on West Maiden Road to an existing 36-inch water line on Startown Road.

Construction funding and ownership of the first six segments are anticipated to be revenue sharing waterlines with the City of Hickory. Construction funding and ownership of the 16-inch line along Startown Road from Town of Maiden limits to EDC- held properties will be provided in accordance with EDC intergovernmental agreement(s) for a proposed multijurisdictional industrial park.

A budget revision is needed to appropriate funding for the engineering and design fees. The cost of construction will be appropriated along with any grant funding when the construction contract is awarded.

Discussion by the Board confirmed that this request is for just the design portion of this project and funding for the actual water loop would have to come before the Board for approval. Staff and the

Board also confirmed that this design project would not affect the priority of the Capital Improvements Plan projects which had been previously approved by the Board.

Vice-Chair Lail made a motion to utilize the exception from the Mini Brooks Act to exempt the County from employing formal RFQ process; approve a contract with McGill Associates for the design of the Blackburn-Plateau Water Supply Loop Project in the amount of \$180,600; appropriate these funds from the Water and Sewer reserve fund and approve letters of intent to the Public Water Supply Section. The motion carried unanimously.

11. Other Items of Business:

Commissioner Barger requested the Board consider adopting a resolution in support of the appointment of Mr. John F. Watts to serve on the North Carolina State Board of Community College Trustees, which would benefit from his educational excellence, proven leadership skills and dedication to community service. Mr. Watts is currently a trustee to the Catawba Valley Community College Board and has been for eight years, and served as an Alexander County Commissioner from 1998-2002 and on the Board of Governors of the North Carolina Governors School from 1992-1998. Commissioner Barger noted that the CVCC had already adopted a similar resolution as had Alexander County and that the College was coordinating the submission of these resolutions to the state. Commissioner Barger made a motion to adopt the following resolution and the motion carried unanimously.

**Resolution No. 2009-  
RESOLUTION IN SUPPORT OF JOHN F. WATTS  
FOR STATE APPOINTMENT**

**WHEREAS**, John F. Watts graduated in 1972 from Alexander Central High School as Valedictorian; and

**WHEREAS**, John F. Watts graduated from the University of North Carolina at Chapel Hill School of Pharmacy in 1977 being elected as president of the Senior Class of Pharmacy; and

**WHEREAS**, John F. Watts served as Alexander / Wilkes chairman for the UNC Morehead Scholarship Selection Committee from 1977-1986; and

**WHEREAS**, John F. Watts served on the Alexander County Board of Education from 1986-1994 in many leadership capacities including budget chairman and vice-chairman; and

**WHEREAS**, John F. Watts served on the Board of Governors of the NC Governors School from 1992-1998, serving as chairman 5 of those 6 years; and

**WHEREAS**, John F. Watts served as an Alexander County Commissioner from 1998-2002 and a portion of 2004 where he held both the chairman and vice-chairman positions; and

**WHEREAS**, John F. Watts is currently a trustee to the Catawba Valley Community College Board and has been for 8 years.

**NOW, THEREFORE, BE IT RESOLVED** that the Catawba County Board of Commissioners recommends John F. Watts be appointed to serve on the North Carolina State Board of Community College Trustees which would benefit from his educational excellence, proven leadership skills and his dedication to community service.

Adopted the 2nd day of February, 2009

12. Attorneys' Report.

County Attorney Debra Bechtel requested the Board authorize the County Manager to execute the necessary documents which would return 31 acres of property back to the County which had previously been deeded to Catawba County Schools for a possible future school site. The School



system has determined that it would not be utilizing this acreage for a school. Commissioner Beatty made a motion to authorize the County Manager to execute these documents. The motion carried unanimously.

13. Manager's Report.

County Manager J. Thomas Lundy recommended the Board move into closed session pursuant to North Carolina General Statute 143.318.11(a)(5) and (6) – to establish or instruct the public body's staff or negotiating agents concerning the acquisition of real property and to consider the qualifications, competence, performance of an employee. He stated he anticipated action upon return to open session. Commissioner Beatty made a motion to move into closed session. The motion carried unanimously.

The Board returned to open session and made the following statement: The Board of Commissioners reviewed an issue regarding the Sherrills Ford Convenience Center property. The County had been attempting to purchase the property from Carolina Centers, LLC but had not been successful in its negotiations. Part of the land included in the offer of sale is unusable and the Board felt it was not appropriate to take the entire parcel. Carolina Centers has refused to sell a smaller portion of the land and has served the County notice to vacate the property by March 31, 2009. The Board of Commissioners has directed County staff to prepare to consolidate the Sherrills Ford Convenience Center operations with the existing Newton Convenience Center, and be prepared to handle all solid waste at that site. The Newton site's hours will be adjusted and it will be open for business on Sundays to replicate the Sherrills Ford site availability. Staff has also been directed to look at expanded services to be made available at the Newton site at a future date. The Board of Commissioners is still open to negotiating with Carolina Centers, should it wish to consider the County's offer to purchase a smaller portion of the parcel in Sherrills Ford.

14. Adjournment: Commissioner Barger made a motion to adjourn at 12:15 p.m. The motion carried unanimously.

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Katherine W. Barnes, Chair  
Board of Commissioners

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Barbara E. Morris, County Clerk